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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,803	12/14/2001	Yvon Bedard	P 284138 RP-00162-US2	1651

28735 7590 05/13/2005

BOMBARDIER RECREATIONAL PRODUCTS INC
INTELLECTUAL PROPERTY DEPT
PO BOX 230
NORTON, VT 05907-0230

EXAMINER

LUM VANNUCCI, LEE SIN YEE

ART UNIT PAPER NUMBER

3611

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/014,803

Applicant(s)

BEDARD ET AL.

Examiner

Ms. Lee S. Lum

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9,23-26 and 31-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,5-9 and 23-26 is/are allowed.
- 6) ☒ Claim(s) 31 and 33-36 is/are rejected.
- 7) ☒ Claim(s) 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. An Amendment was filed 3/10/05.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

A. **Claims 31, 33 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sykora 3819226 in view of Willey 6234554.

Sykora discloses a snowmobile comprising

Chassis, motor, endless track, at least one ski connected to steering mechanism (all inherent),

Turnable support frame (unidentified, inherent) mounted to the steering mechanism,

Windshield 12 comprising a transparent material (inherent), detachably mounted to the support frame via at least one locking structure (figs 4 and 5).

The reference does not disclose the windshield detachably secured via a locking member, and receiver, structure, while Willey shows this configuration with

Locking members each having shaft 22 connected at an end to the vehicle (fig 1), and enlarged end 52,

Receiving structure 32 associated with the windshield that releasably engages the locking member upon application of force upon the windshield (figs 3, 4),

The structure comprising a deformable, resilient material (c5, ln 36-40) permitting the enlarged end to pass therethrough.

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It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this arrangement, as shown in Willey, to facilitate replacement of the windshield in a simple, yet secure manner, thus decreasing costs and effort, and increasing convenience and safety.

B. **Claims 35 and 36 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Sykora in view of Willey, and in further view of Gagne 6752447.

The previous references do not disclose hand-protecting members attached to sides of the windshield/steering mechanism, while Gagne shows these elements 60. It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this components, as shown in Gagne, to protect the user's hands from environmental and travel conditions, thus increase safety and comfort.

3. ALLOWABLE SUBJECT MATTER

a. **Claims 1, 5-9, 23-26 are allowable.**

b. **Claim 32** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior art does not disclose a snowmobile described above further comprising, *inter alia*, the enlarged portion of the locking member as passing through the receiving structure.

4. The prior art considered pertinent to the disclosure, but not relied upon, include(s):
Takemura et al 6543831.

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5. RESPONSE TO REMARKS

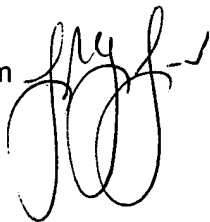
Upon reconsideration, Examiner has provided new rejections for several claims, and *sincerely apologizes* for the inconvenience. Allowable subject matter still remains.

6. Communication with the Examiner and USPTO

Any inquiry concerning this communication should be directed to Ms. Lum at 571 272 6649, M-F, 9-5. If attempts to reach the examiner are unsuccessful, her supervisor, Ms. Lesley Morris is at 571 272 6651. Our fax number is 703 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications: private PAIR only, for published applications: private or public PAIR. For more information re PAIR: <http://pair-direct.uspto.gov>. Questions re private PAIR: contact the Electronic Business Center (EBC) at 866 217-9197.

Ms. Lee S. Lum
Examiner
5/10/05

A handwritten signature in black ink, appearing to be 'Lum', written over the printed name and date.